REMARKS

Claims 1-16, 18-20, and 25-27 are pending. Upon entry of this amendment, claims 1-5, 7-16, 18-20, 28, and 29 will be pending, claims 1, 7, 9, 10, and 16 having been amended, claims 6 and 25-27 canceled, and claims 28 and 29 added. Claims 1 and 9 have been amended to include features recited in claims 6 and 10, respectively. Claim 7 has been amended to update its dependency. Claim 10 has been amended to be consistent with the claim 9 amendment. Claim 16 has been amended for clarification. Support for new claims 28 and 29 can be found in original claims 2-5 and FIG. 5, elements 16 and 17, for example. There are no issues of new matter.

Claim 16 stands objected to for reciting language not explicitly mentioned in the specification. Applicants traverse the objection.

Applicants first point out that patent statutes and rules do not require that the claim language be explicitly mentioned in the specification. Rather, it is sufficient that the claim language would have been apparent from reading the specification and from the prior art.

Claim 16 as amended recites a computer readable medium having a computer program stored thereon for controlling a machine according to the method of claim 9, 10, or 11.

This language would have been apparent from the amended specification submitted on September 18, 2006 ("the specification"). For example, the specification, page 6, lines 15-23, describes modeling software producing a predetermined advance angle profile representing energization of phase windings. The specification, page 6, lines 10-14, describes a controller (FIG. 3, element 12) sending data to an electronic control board (FIG. 3, element 9), thereby causing the phase windings to be energized. The specification, page 7, line 23, through page 8, line 7, describes the controller receiving data of measured input power from a power meter (FIG. 3, element 11) and causing the power meter to repeat the measurement. The specification, page 8, lines 7-16, describes producing an angle correction factor which depends on a difference between the measured input power and a predetermined input power. The specification, page 8,

lines 18-23, describes a memory storing the predetermined advance angle profile and the angle correction factor and for use in other applications.

It would have been apparent from at least the above cited portions of the specification and from what is known in the art regarding computers that Applicants' apparatus includes computer elements, e.g., a input/output device that receives and sends data, a processor that produces the predetermined advance angle profile and the angle correction factor, and a computer readable medium, e.g., a memory, that stores data including a computer program (or an application) to perform the recited method steps. Therefore, it is clear that the apparatus' memory is an example of the "computer readable medium" recited in claim 16 as amended. Withdrawal of the objection is requested.

Claims 1-16, 18, 19, and 25-27 stand rejected under 35 USC 102(b) as being anticipated by Ookawa (US 5,796,226). Applicants traverse the rejection.

Claim 1 as amended recites a control map comprising, *inter alia*, an angle correction factor to be applied to a predetermined portion of an advance angle profile, where the angle correction factor depends on a difference between a measured input power to an electrical machine and a predetermined input power at a predetermined rotor speed of the machine.

In contrast, Ookawa neither discloses nor suggests Applicants' claimed angle correction factor. Rather, Ookawa clearly discloses that its angle correction factor depends on target rotational speed and torque. See Ookawa, column 15, lines 24-40, and FIG. 19. Therefore, Ookawa's angle correction factor is not the angle correction factor that Applicants claim.

The Action asserts that Ookawa's angle correction factor depends on the voltage comparison described in Ookawa, column 8, lines 31-67, column 9, lines 1-14, and FIG. 2. See Action, page 3, item 3. This assertion is incorrect. Ookawa describes the voltage comparison as comparing an applied voltage to a reference voltage in order to ensure that the appropriate coil energization and de-energization voltages are reached. However, Ookawa neither discloses nor suggests that this voltage comparison is in any way used in connection with the angle correction factor.

Therefore, claim 1 and its dependent claims are not anticipated by Ookawa. The same reasoning applies to claim 9. Claim 9 and its dependent claims are also not anticipated by Ookawa. Withdrawal of the rejection is requested.

Claim 20 stands rejected under 35 USC 103(a) as being unpatentable over Ookawa in view of Elliott (US 6,313,597). Applicants traverse the rejection.

Claim 20 is patentable over Ookawa by virtue of its dependency from claim 1. The deficiencies of Ookawa are not corrected by Elliott because Elliott also fails to disclose or suggest Applicants' claimed angle correction factor. Therefore, the combination of Ookawa and Elliott would not have provided Applicants' claimed angle correction factor. Claim 20 is patentable over Ookawa in view of Elliott. Withdrawal of the rejection is requested.

Each of the pending claims in this application is in condition for immediate allowance. A Notice of Allowance is requested.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 424662013300.

Respectfully submitted,

Dated: July 8, 2008

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